



DELTA CITY COUNCIL

REGULAR CITY COUNCIL MEETING

Wednesday, October 2, 2019

Delta City Municipal Complex Council Chambers

76 North 200 West

Delta, Utah 84624-9440

PRESENT

John W. Niles, Mayor

Brett C. Bunker, Council Member

Nicholas W. Killpack, Council Member

Kiley J. Chase, Council Member

Betty Jo Western, Council Member

Robert W. Banks, Council Member

ABSENT

OTHERS PRESENT

Sherri Westbrook, City Recorder

Todd F. Anderson, City Attorney

Sue Peterson, Chamber of Commerce

Gayle Bunker

Sam Jacobsen, Chronicle-Progress

Shawn & Shaunna Maxfield, Maxfield Collision

Rebecca Peterson, Cash Receipting Clerk

Bridgette King, Admin. Assistant

Wade Weston, Stone Cover LLC

Kelly Albers

Jake Christensen

Scott Bassett, Topaz Museum

Mayor Niles called the meeting to order at 7:00 p.m. He stated that notice of the time, place and the agenda of the meeting had been posted at the City Municipal Complex, on the Delta City website, on the Utah Public Notice website, had been provided to the Millard County Chronicle-Progress, LLC and to each member of the City Council at least 24 hours prior to the meeting. Mayor Niles conducted roll call. Council Members Banks, Bunker, Chase, Killpack and Western were present. Council Member Killpack offered the opening remarks and Mayor Niles led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Regular City Council Meeting held August 21, 2019 were presented for approval. Council Member Banks MOVED to approve the minutes of the Regular City Council Meeting held August 21, 2019. The motion was SECONDED by Council Member Chase. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Bunker, Council Member Chase, Council Member Killpack, and Council Member Western in favor.

The minutes of the Regular City Council Meeting held September 18, 2019 were presented for approval. Council Member Bunker MOVED to approve the minutes of the Regular City Council Meeting held September 18, 2019. The motion was SECONDED by Council Member Western. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Bunker, Council Member Chase, Council Member Killpack, and Council Member Western in favor.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending September 18, 2019 in the amount of \$359,639.20. Council Member Killpack MOVED to approve the disbursed payments dated October 2, 2019 in the amount of \$359,639.20. The motion was SECONDED by Council Member Bunker. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Bunker, Council Member Chase, Council Member Killpack and Council Member Western in favor.

PUBLIC COMMENT PERIOD

William Frazier addressed the council about an issue that he has been having with his neighbor. His neighbor backed into his fence and has not cleaned it up or repaired it. Mayor Niles stated that the city has sent the neighbor a letter to clean up his property. He has done some cleaning up. Council suggested that Mr. Frazier speak to his neighbor and try to resolve the issue amongst themselves.

BUSINESS

Heather Williams-Young; Children's Justice Center

Not Present

Review of Nuisance issues at Delta Rock property

Mayor Niles stated that the city has received written complaints concerning this issue. Kelly Albers, Oasis Seed, explained that their driveway and resale products are covered in dirt. The dirt is still coming onto Oasis Seed property even when the business is not crushing because the dirt piles are so large that the wind blows the dirt. She has made calls to the EPA and called the business and had to complain to them when they are crushing. She stated that she would like to see Stone Cover LLC be responsible in controlling the dust that is created and keep it maintained. Shaunna Maxfield, Maxfield Collision, explained that her business is also being negatively affected by the dust. They have vehicles that have been washed and readied for paint that get covered in dirt before they can get them in to paint. Wade Weston, Stone Cover LLC, owner, addressed the council and visitors. He explained that his business has been operating at that location for about five years. Before doing screening at that location, they contracted with Dutson Supply for two years and they did the screening. He explained that he had received calls from neighboring businesses when the wind was blowing dirt during the screening and he immediately made a phone call and shut the screening down. He explained

that since that time, the business does not operate anymore during the hours of 8:00 am to 5:00 pm on Monday thru Friday. He stated that the only complaints that he is aware of are from Oasis Seed and Maxfield Collision. He also explained that they have been working closely with the Division of Air Quality trying to mitigate the problem. The DAQ gave them a list of things to do and they have done everything on the list and more. Weston gave a history of the business and the financial impact the company has had on the Delta area. He stated that he does understand the complaints and is dedicated to keep working on solving the issues. Mayor Niles stated that the city would like the businesses to get together and try to come to a mutual agreement on solving the issues.

Topaz Museum report

Scott Bassett presented a report on the Topaz Museum. He gave the history of the museum and the attendance they have had visit the museum over the years. The numbers show a steady increase each year. He feels like the museum is advantageous to the businesses in the area and the community. He thanked the council for their support. He discussed with the council about advertising the museum and asked them to do everything they can to promote the museum. Council Member Betty Jo Western suggested forming a youth committee to serve as volunteers at the museum.

Review of free use of Community Center

Mayor Niles read a letter to the council concerning the use and care of the R J Law Community Center. A quick survey was done on other cities and how they handle the use of their community centers. Most cities have a facility that is available to rent. Most cities charge far more than what Delta City charges for both deposit and rental. Most cities reduce or waive the fee to non profit and/or council approved civic organizations. Reduced rates were between \$30.00 and \$70.00 per hour for non profit civic groups. Non profit groups must show their 501(c)3 and civic groups must be approved by the city manager or city council. The cities that do not waive were mainly larger cities. The reason they don't do waivers is because the renters don't treat the building with respect and the wear on the building and the cleanup costs are 100 times more than what the city is making. The Community Center expenses for the prior year were \$17,020.00 and the income was \$7,000.00. In October of last year, there were 6 free rentals and 2 paid. November of last year there were 9 free and 5 paid rentals. December of last year there were 9 free and 8 paid rentals. The remainder of the year the rentals were still more free than paid per month. The office staff would like a clear determination on the rules for renting the building so that it is fair to everyone. There have been some personnel changes at the Community Center and some new procedures have been put in place to check the rentals and make sure the building is clean before any deposits are refunded. Todd Anderson suggested that the staff look at the policy and propose some changes and share those changes along with the fee schedule with the council members and then discuss at a future meeting. Council Member Killpack MOVED to have the staff review the policies regarding the use of the community center and provide to the council at their convenience the alterations that they would like to make to make the use of the community center more convenient and better cared

for and the council can approve the changes at the next council meeting. The motion was SECONDED by Council Member Banks. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Bunker, Council Member Chase, Council Member Killpack, and Council Member Western in favor.

Public Works Updates


Public Works Director Dent Kirkland reported to the council that since the last meeting the public works department has spent most of the time working on sewer line on 100 N & 350 W in front of the old museum. They have been working on a few odds and ends. There is some equipment they have been working on. They have been trying to finish up the season so that they can start on Christmas Decorations. The RFP has been sent out for the sewer camera job. The deadline is October 21st and it will hopefully be awarded on November 7th. Sealed bids for the excess irrigation have also been advertised. The Airport job is going well. The actual job ending date is the first part of December. Geneva Rock will be done in about 2 – 2 ½ weeks. The airport may be able to be opened on a part time basis during daylight hours. The electrician will be working on the lighting.

Other Business


Council Member Western MOVED to adjourn the City Council Meeting. The motion was SECONDED by Council Member Bunker. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Bunker, Council Member Chase, Council Member Killpack and Council Member Western in favor.

The meeting was adjourned at 8:34 p.m.





JOHN WESLEY NILES
MAYOR



SHERRI WESTBROOK
CITY RECORDER

MINUTES APPROVED: 11/6/19